

FEDERAL COMMUNICATIONS COMMISSION
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March 25, 2019

KD Radio, Inc.
733 E. Roosevelt Ave.
Grants, NM 87020

Re: KD Radio, Inc.
KDSK(AM), Los Ranchos De Albuquerque, NM
Facility Identification Number: 59687
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed March 6, 2019, on behalf of KD Radio, Inc. ("KRI"). KRI requests special temporary authority ("STA") to operate station KDSK(AM) from an alternate site location with a temporary long wire antenna.¹ In support of the request, KRI states that KDSK(AM) lost its licensed transmitter site and therefore seeks STA to operate from a temporary location until a permanent transmitter site is located.

Specifically, KDSK(AM) proposes to operate from a site located 9.7 kilometers from its currently licensed site. Operation is proposed with a 121 foot (37 meters) long wire antenna supported between two buildings at a height of 10 meters above ground level. Unlimited hours operation is requested with a power of 1 kilowatt.

STA requests which involve a change in transmitter site must include four critical elements: (1) Loss of the licensed site must be beyond the licensee's control; (2) STA facilities must continue to provide service to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area² without extending it; (4) STA facilities cannot involve the construction of towers intended for permanent use by the station requesting the STA.

Accordingly, the request for STA is GRANTED. Station KDSK(AM) may operate with the following facilities:

¹ KDSK(AM) is licensed for operation on 1240 kHz with an unlimited hours power of 1 kilowatt, employing a non-directional antenna pattern (ND1-U).

² For AM - 0.5 mV/m contour; for FM - 1.0 mV/m contour.

Geographic coordinates	35° 10' 09" N, 106° 29' 59" W (NAD 1927)
Frequency	1240 kHz
Hours of operation	Unlimited
Operating power	1 kilowatt
Antenna type	121 foot (37 meters) long wire antenna

It will be necessary to further reduce power or cease operation if complaints of interference are received. KDSK(AM) must notify the Commission when licensed operation is restored. KDSK(AM) must use whatever means are necessary to protect workers and the public from exposure to radio frequency radiation in excess of the Commission's exposure guidelines. *See* 47 CFR § 1.1310.

This authority expires on **September 21, 2019**.

STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice the public interest." However, Section 309(f) is not a means by which a licensee/permittee may circumvent established processing procedures which require the filing of an application, nor is it a means by which a broadcaster may enhance his facility or make operation more convenient for the broadcaster. Stations operating with less than licensed facilities under temporary authorities can be viewed as receiving the benefit of a larger protection area than that in which they are currently providing service.

Accordingly, Special Temporary Authorities by nature are to be temporary and are not intended for extended use. Licensees of stations operating under temporary authorities are reminded that timely restoration of permanent facilities is the responsibility of the licensee and should be undertaken expeditiously. Any request for extension of special temporary authorities carries an increased burden with each subsequent request.

Therefore, requests for extension of STA will be granted only where the licensee can show that one or more of the following criteria have been met:

- Restoration of licensed facilities is complete and testing is underway;
- Substantial progress has been made during the most recent STA period toward restoration of licensed operation; or

- No progress has been made during the most recent STA period for reasons clearly beyond the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Sincerely,

A handwritten signature in dark ink, reading "Jerome J. Manarchuck". The signature is fluid and cursive, with the first name "Jerome" and last name "Manarchuck" clearly legible.

Jerome J. Manarchuck
Audio Division
Media Bureau

cc: Derek Underhill (via email only)
Don Davis (via email only)